

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Ala Mohammad,)
Plaintiff,)
v.)
City of Chicago,)
Defendant.)
Case No. 07 C 6587
Judge Manning
Magistrate Judge Cole

JOINT INITIAL STATUS REPORT

Plaintiff Ala Mohammad, by and through his attorney, Patricia Kemling, and Defendant City of Chicago (the “City”), by and through its attorney, Mara S. Georges, Corporation Counsel of the City of Chicago, pursuant to this Court’s order dated February 26, 2008, jointly submit the following initial status report:

A. NATURE OF THE CASE

1. Jurisdiction and Claims

This is an action arising under federal law. Jurisdiction is proper under 28 U.S.C. § 1331 and 28 U.S.C. § 1343.

Plaintiff asserts civil rights claims under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, *et seq.* (“Title VII”) and 42 U.S.C. § 1981 (“Section 1981”) against the City alleging discrimination and harassment on the basis of race, color, religion, national origin and ancestry. Plaintiff also alleges that the City retaliated against him for complaining about discrimination and harassment in violation of Title VII and Section 1981.

2. Relief Sought

Plaintiff seeks lost wages and benefits, employment with the City with retroactive seniority or front pay, compensatory and punitive damages, and attorneys' fees and costs.

3. Service

The City has been served.

4. Major Legal and Factual Issues

- a. Whether the City discriminated against plaintiff on the basis of race, color, religion, national origin and ancestry;
- b. Whether the City subjected plaintiff to a hostile work environment based on race, color, religion and national origin;
- c. Whether the City is entitled to the affirmative defense set forth in *Burlington Industries, Inc. v. Ellerth* and its progeny;
- d. Whether the City retaliated against plaintiff;
- e. Whether the plaintiff was damaged by the alleged actions and whether plaintiff mitigated any such damages;
- f. Whether the alleged conduct caused plaintiff emotional distress.

5. Citations to Key Authorities

The parties will provide the Court with all relevant legal citations as dictated by the circumstances of the case.

B. DISCOVERY PLAN

1. The parties will exchange the information required by Rule 26(a)(1) on or before May 1, 2008.

2. Plaintiff shall have until May 16, 2008 to join additional parties and amend pleadings; the City shall have until June 16, 2008 to join additional parties and amend pleadings.
3. All fact discovery will be commenced in time to be completed by July 31, 2008. Expert discovery to commence thereafter, with plaintiff's experts to be disclosed by August 22, 2008, to be deposed by September 12, 2008. The City will then have until October 3, 2008 to disclose its experts, to be deposed by October 24, 2008.
4. Maximum of 25 interrogatories by each party to any other party unless otherwise agreed to by the parties or ordered by the Court. Maximum of 25 requests for admission by each party to any other party unless otherwise agreed to by the parties or ordered by the Court. Responses to interrogatories and requests for admission shall be due 30 days after service.
5. Maximum of 10 depositions by each party.
6. Dispositive motions to be filed by September 5, 2008.

C. TRIAL STATUS

Plaintiff has requested a jury trial. The parties anticipate that the trial in this matter will not take more than three trial days.

D. CONSENT TO MAGISTRATE

The parties do not consent to trial before a magistrate judge.

E. SETTLEMENT

The parties believe it is premature to discuss settlement at this time. However, the parties may revisit settlement after discovery is conducted.

Date: April 3, 2008

Respectfully Submitted,

/s/ Patricia Kemling

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